

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**COURTROOM PROCEEDINGS**

The court met in its courtroom at 10:00 A.M. Present: Honorable Rebecca A. Wiseman, Acting Presiding Justice; Honorable Herbert I. Levy, Associate Justice; Honorable Gene M. Gomes, Associate Justice; and Charlene Ynson, Clerk/Administrator, by Judy Evans, Assistant Deputy Clerk.

**F052890      People v. Marin**

Cause called and argued by Alex Green, Esq., counsel for appellant and by Daniel Bernstein, Deputy Attorney General, counsel for respondent.

Cause ordered submitted.

**F053475      People v. Sanchez**

Cause called and argued by Mark John Shusted, Esq., counsel for appellant and by Lloyd G. Carter, Deputy Attorney General, counsel for respondent.

Cause ordered submitted.

Court recessed until Friday, January 9, 2009 at 1:30 P.M.

The court reconvened in its courtroom at 1:30 P.M. Present: Honorable Rebecca A. Wiseman, Acting Presiding Justice; Honorable Herbert I. Levy, Associate Justice; Honorable Dennis A. Cornell, Associate Justice; and Charlene Ynson, Clerk/Administrator, by Jill Rivera, Deputy Clerk.

**F055137      Bennett et al., v. Bennett, as Trustee, etc.,**

Cause called and argued by Jeffrey Jaech, Esq., counsel for appellant and by Roger M. Schrimp, Esq., counsel for respondent.

Cause ordered submitted.

Court recessed until Tuesday, January 20, 2009 at 10:00 A.M.

**F054001      People v. David**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

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**F055993      In re Kao Kuang Saechao on Habeas Corpus**

Let a writ of habeas corpus issue directing the Superior Court Clerk of Merced County to deem the notice of appeal filed in Merced County Superior Court action No. 29028 on or about June 24, 2008, to be timely filed and operative from the order filed on May 2, 2008, and to cause a normal record on appeal to be prepared and served on the parties and filed in this court in accordance with the applicable rules of the California Rules of Court on or before 75 days from the date of this opinion.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F054967      People v. White**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F054967      People v. White**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F052357      People v. Wiley**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

IN THE  
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**F052357      People v. Wiley**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F054237      People v. Espinoza**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

**F054686      People v. Bowers**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F054686      People v. Bowers**

The order is affirmed. Gomes, J.

We concur: Vartabedian, Acting P.J.; Cornell, J.

[CERTIFIED FOR PUBLICATION]

**F055108      People v. Hunter**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F055108      People v. Hunter**

The judgment is affirmed with modifications.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F055401      In re M.M. et al., Minors**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

IN THE

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**F055401**      **In re M.M. et al., Minors**  
The judgment is affirmed.  
By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F054943**      **People v. Ramirez**  
Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F054943**      **People v. Ramirez**  
The judgment is affirmed.  
By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F053545**      **People v. Joshua**  
Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

**F053545**      **People v. Joshua**  
The judgment is affirmed. Gomes, J.  
We concur: Wiseman, Acting P.J.; Levy, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F054435**      **People v. Arreola**  
Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.